

MINUTES
Advisory Board to
Memphis Animal Services

APRIL 16, 2010

Present were:

Board Members:

Michelle Buckalew, Chairperson
Carol Katz, Secretary
Cindy Sanders
Allen Iskiwitz
Jackie Johns
Frank James
Mathew Pepper, Ex-Officio

Absent:

Janice Taylor Vaughn
Janet Hooks, Ex-Officio

Michelle Buckalew called the meeting to order at Central Library at 12:10 p.m. No minutes had been filed for March. Carol said that she would have March minutes at the next meeting.

Carol announced the formation of a newly formed private non-profit 501(c)(3) "Friends of Memphis Animal Shelter" to benefit MAS. Its mailing address is P.O. Box 171391, Memphis, TN 38187. It is accessible through the web through www.friendsofmemphisanimalshelter.org and takes both checks and pay pal donations.

Matthew said that MAS supports this group and suggested a "leave a comment" section. They have two websites: Facebook focuses on adoptions, the other is their official website. Mat announced that the MAS website is ready to go up and he thought it would be a good idea to link the MAS web site to this private non-profit. Michelle said that the website should have names of the people involved in this group.

Agenda Item #1: Are any relationships being built with local TV/radio stations? Matt reported that he is quickly establishing positive links to the media. He is regularly on "The Zeke and Drake Show" on FM station 98.1 with a question and answer format. Also, WREG "Live at Nine" television show wants to establish a regular adoption segment. Matt would like to

have a question and answer section with the Commercial Appeal. Members of the advisory board suggested contacting Chris Peck and Cindy Wolff at the newspaper. Matt is doing the Library Channel regularly. Matt will pursue all opportunities.

Matt said one thing preventing us from moving forward is the vacant positions and limited duty status of employees. There are two vacant positions right now and two officers are on limited duty. Nine of our total 19 field staff (44 percent) are on paid leave, limited duty or vacant. There are some important programs that Matt wants to put in place, but it needs to be done right in setting it up for the first time. Cindy said that city policy used to be that light duty was only available to on-the-job injury. Until he has a substantially full staff in place, Matt is hamstrung with new policies and programs. Carol suggested temps to fill vacant position, but Matt said temps couldn't be utilized. For example, ACOs need to be certified.

Michelle spoke to the need for the position of Kennel Operations Manager. Matt has requested more money for the Kennel Operations Manager in order to get someone with higher qualifications. Michelle thought it a good idea to draft a 2010 organization chart. She said every 2010 shelter has a community relations person, a kennel operations person and a cruelty person. MAS has not identified these positions in their organizational chart. Matt said that we can do this without reorg and reclassifying people. Director is supposed to be community relations. Two of the ACOs can be assigned to cruelty.

Agenda Item #2: Using remote/satellite locations for adoptions until the new shelter is completed. Michelle felt that vacant properties could be identified through the CCC or local leaders and utilized for a temporary period to get the animals out to the public. Matt said that off site adoptions have started back up. The first one will be at Hollywood Feed Store on April 24th. Michelle said that Hollywood Feed is not a high traffic store, unlike Wal-Mart. Carol Word said that there would be an unveiling of the new commemorative USPS postage stamp advertising adopt-a-pet on May 1 from 4:00 to 6:00 p.m. at Askew Nixon Ferguson on Union.

Matt announced a change in practice at the shelter. The area to the left (formerly known as the hall) is now the adoption area having 30 kennels. These animals are separated from the strays and removed from their cages to an outside area while cages are sanitized. The animals in this area are pre-sterilized, thus can be released immediately upon adoption. This change has resulted in a big reduction in sick animals. Michelle

reiterated her interest in taking these animals to off site adoption opportunities as well.

Agenda Item #3: Can MAS discount adoption fees to 501(c)(3) rescue groups? Allen stated his preference that fees be reduced. Matt said that this occurs on a regular basis if the group is documented and reputable. It has not yet been made policy as such, but he feels it is a move in the right direction. Michelle felt that there should not be a pull fee for a properly documented 501(c)(3). Matt said that this was the policy in Shreveport but that more organization will be required before a policy of that nature can be put in place.

Agenda Item #4: Implementing credit/debit cards. Allen spoke about using credit/debit cards for payment. However, although the credit/debit card payment availability is not yet in place, it has been approved and they are presently seeking a bank.

Allen spoke about "Dogs in Danger," a national organization that posts pictures on the web of animals listed for euthanasia. Question is whether the most appropriate animals will be adopted using this forum. Allen asked about using the adoption agreement to weed out bad/cruel owners. Matt said that they are developing a "Pet Profile" form that will help match dogs to people.

Allen asked about taking dogs to offsite adoption locations that are not sterilized. Matt said that he wants to see every animal that is put up for adoption spayed or neutered. Dr. Coleman has the ability to pre-sterilize every animal prior to sending out to offsite adoption.

Matt said that MAS took in 1,384 animals in March. He explained how adoptable animals are being protected from the stray population resulting in healthier animals in the facility. The present shelter facility was designed as a "hold and kill" shelter. Michelle pointed out that the facility has the worse location in the city for public access. Matt pointed out that almost all public shelters are located in bad locations. The new facility is proceeding ahead of schedule.

Agenda Item #5: Changing MAS hours of operation. Allen would like to see hours of operation changed and expanded to better accommodate working families' schedules. Matt said he is looking into a seven-day schedule for the field. Allen said the use of credit/debit cards may eliminate the cash security question. Most of the board felt the need to be open on Sunday for adoptions. Matt is not considering opening the shelter on Sundays at the present time. Various options were discussed,

however, including Saturday until 5:00 p.m., and two weekday evenings until 7:00 p.m. Matt said that a seven-day week would stretch the staff too thin and the union contract requires employees to have two consecutive days off.

Agenda Item #6: Prioritizing complaints. Cindy reported that it took three calls to get a hoarding, potential cruelty complaint into the computer. The first call on a Saturday, an ACO answered the phone. What is the policy on prioritizing calls? Matt said they have not put the policy in place yet. The new priority codes will be done in conjunction with the staffing schedule. The priority policy now in place is not specific. The new policy is being put together with the prosecutor and Judge Potter and will be very specific.

Cindy had asked about not going to apartment complexes. Matt spoke to the policy that was in place prior to his arrival was that a tenant had to have the apartment manager call. This was changed immediately. The tenant has the right to make a complaint.

Agenda Item #7: ACOs who are not allowed to write citations. Cindy discussed the situation involving ACOs in an ex-felon status who are not legally permitted to write citations. The administration is in the process of resolving this and it will not be done by a change in the job description, according to Matt's understanding. Matt said this is a problem because he must send out an additional ACO to write the citation, thus it requires him to have two ACOs out doing the job of one. Carol wanted to know whether ex-felons were continuing to be hired for ACO positions. Matt said no. Cindy said that she hopes it won't take the administration as long to rectify this situation as it has to rectify the situation involving three employees currently on paid leave. She does not want to go into court on a cruelty case with an ACO who signed off on a complaint but has no knowledge of the case.

Both Allen and Michelle felt more could be done to write up employees not doing their job and, if needed, terminate. Allen was particularly frustrated by the way the administration has handled employee relations in the past. Matt said other people are dealing with this as well as he, and attempting to reach a resolution. Allen asked whether the ACOs who are unable to write citations could be reassigned and their positions filled with qualifying persons. Matt said this is under consideration. Cindy said that the frustration stems from the fact that employees who were not doing their job were not written up. If they had been, they would be gone and we would not be dealing with this situation now.

Cindy said the Memphis Humane Society was utilizing MAS resources to restructure their cruelty department. No, not true. Matt said that they would provide training assistance to MHS if asked to do so.

An observation camera will be placed in the "hallway" (new adoption area) at Cindy's request.

Agenda Item #8: Inability to get response to FOIA request. Both Jackie and Cindy reported trouble obtaining FOIA documents. Cindy said that it was easier to get FOIA statistics from the Herenton administration than it is from Wharton administration that promised greater transparency in government. She has been asking for a Crystal Report, written logs, and hard copies since November 2009. All she has received is dispatch reports. Carol noted that Cindy has brought this up at the February advisory board meeting and was promised results within the month but none were forthcoming. Matt said that a lot of people are involved. The FOIA request documents are submitted upward before they are released. Matt was unaware that there were any outstanding FOIA requests.

Agenda Item #9: MAS presenting cruelty cases in court. Jackie said there is a huge problem with ACOs choosing Division 2 for filing cruelty cases. ACO can choose either Division 2 or 14 for animal cases. An aggravated cruelty case was filed in Division 2 where Judge Sugarman is limited to a \$50 fine. He has no enforcement power. The defendant failed to appear and he was fined \$50. It was a horrible cruelty case where the dog was chained and starved to death. Jackie said all cruelty cases ought to be heard before Judge Potter, Division 14, who has greater sentencing authority. Matt said that although Division 2 has jurisdiction in all animal cases, it is appropriate to have serious cases heard in Division 14 where severe sanctions can be obtained. Matt, in conjunction with Dan the prosecutor and Judge Potter, is in the process of implementing a policy whereby all serious violation cases will be assigned to Division 14. Matt is coordinating staffing hours and ACO court appearances with the prosecutor's office. Jackie said furthermore, Judge Potter can forbid violators to ever own animals and hand out jail sentences.

Jackie and Cindy wanted to insure that ACO will respond to subpoenas. Matt said he is unwilling to mandate policies until he has credible front line supervisors in place to effectuate the policies. Cindy said that Sugarman and Boyle are both willing to train ACOs as to proper court procedures.

Jackie and Cindy were in court when the subpoenaed ACO failed to appear. Matt said that failure to appear when subject to subpoena has and will result in disciplinary action. Matt said both he and the prosecutor

made clear that regardless of schedule, a subpoena must be honored. Matt indicated that he needs credible front line supervisors in place to insure that schedules are not overlooking court appearances. Court assignments are now being made a priority. In all citations written, a copy goes to court, a copy to the defendant and a copy to MAS for record retention. ACOs get a copy. Jackie asked that she get a copy of citations that are written and what they were for.

Agenda Item #10: Ivan Russell. Jackie said the investigation was complete in March. Mr. Russell flaunts his ability to remain on paid leave, and when is the next step going to be taken? The next step remains with the Administration. (Note: Ivan Russell is not under indictment.)

The Meeting was then open to public comment.

Beverly King: Over 30 dogs were adopted on MAS Adoption Day, many that were not previously spayed/neutered which violates city ordinance. She said that one of these people was not followed up and wondered if any of those people had been called by the shelter to bring the dogs back for spay/neuter. Matt said staffing issues were much more difficult than anticipated. With so many on leave or limited/light duty, there are simply not enough staff to follow through. He believes Dr. Coleman followed up on some of the animals, but he will check on this. His focus is on having all spay/neuter procedures done prior to adoption. Matt is open to all free training for his staff that is available. Matt went on to explain that the staff needs to be adequate to perform any new policies before he is willing to put them in place. Otherwise, they are doomed to fail. Michelle said that until employees are being written up for not doing their job, you are stuck with the same bad apples. Matt said he believes in holding employees accountable and is doing so.

Bryon Mauldin: Wants off site adoptions at Germantown Charity Horseshow and Farmers' Markets. Hickory Hill Mall should be targeted for community education projects in vacant storefronts. Are background checks being done on adopters? Matt said only in the case of pit bull adoptions.

The missing board member issue followed public comments. Michelle said we have procedural rules that provide for replacement of a member who misses two meetings out of six. Carol pointed out that Janice Taylor Vaughn had not attended four of the last six meetings and that advisory board procedures state as follows:

(7) The Board may terminate and request replacement of a member if that member misses any two out of six consecutive meetings.

Carol therefore made a motion that Janice be terminated as a board member according to our procedural rules, and Chairperson Buckalew write a letter to the Mayor and City Council requesting them to select a replacement. Cindy seconded the motion. The advisory board unanimously adopted the motion. Michelle said she would notify the Mayor and City Council of our need for a new member.

Further public comment ensued. Bryan Mauldin: Requested the board to demand an immediate status report to AC Wharton and Janet Hooks as to what disciplinary action will be taken against the suspended employees and when replacements will be put in those positions. Carol said that she did not think such a letter from the board would be appropriate. Michelle said that Janet has already stated this was a function of the Attorney General's office and the administration would not entertain such a request from the board. Bryan insisted that the status of these employees directly affects the shelter and it is the advisory board's business. Carol said that their status wouldn't be determined until the legal process is complete. Michelle and Carol suggested that Bryan make the request on her own behalf. Michelle said that all we can do is let the record reflect that the advisory board has asked for this information and Janet has told us that it is not within our jurisdiction.

Allen said that the second chance program should not be used at the shelter. Carol said that the advisory board could properly request that the second chance program not be used in hiring or promoting to ACO positions. Cindy said that kennel workers and ACOs should not be answering phones. Answering phones is a clerk's position.

There being no further business, the meeting was adjourned at 2:20 p.m.

Respectfully submitted,

Carol Katz, Secretary